

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KH-REIT II FUNDING XXII, LLC,
Plaintiff,

v.

GRANT MEADOWS, L.L.C.
Defendant,

and

FIDELITY NATIONAL TITLE,
INSURANCE COMPANY
Third-Party Plaintiff,

v.

KH-REIT II FUNDING XXII, LLC and
GRANT MEADOWS, L.L.C.
Third-Party Defendants.

CIVIL ACTION NO. 4:22-cv-03730

AGREED MOTION TO INTERPLEAD FUNDS INTO THE REGISTRY

Third-Party Plaintiff Fidelity National Title Insurance Company (“FNTIC”) pursuant to 28 U.S.C. §§ 1335, 2361, files this Agreed Motion to Interplead Funds into the Registry and respectfully shows as follows:

1. FNTIC moves the Court pursuant to agreement of all Parties and 28 U.S.C. §2361, to grant this Agreed Motion to Interplead Funds into the Registry and enter an order directing the Clerk to allow FNTIC to deposit funds in the amount of \$500,000 into the Court registry. FNTIC further requests that, upon deposit of such funds, FNTIC be discharged from liability as described in the attached agreed order.

WHEREFORE, Third-Party Plaintiff FNTIC respectfully requests that the Court sign and enter the attached agreed order.

Dated: February 23, 2024

Respectfully Submitted,

FIDELITY NATIONAL LAW GROUP

/S/ Manuel Torres
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CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with all counsel of record and none are opposed to the relief sought in the proposed order, each of which has memorialized their agreement by signature on the proposed order.

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2023, and on February 23, 2024, I or my assistant (i) emailed the foregoing paper with all counsel of record then (ii) electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to all parties and counsel of record.

/S/ Manuel Torres